

**CERTIFIED TRANSLATION - TRADUCCIÓN PÚBLICA**-----

From: the Judge in charge of National Commercial Court No. 9, located at Marcelo T. de Alvear 1840, 4<sup>th</sup> floor, Buenos Aires, Argentina. -----

To: The relevant Judge with the same competence in the City of Wilmington, Delaware, United States of America. -----

The undersigned hereby informs you as follows: -----

This National Commercial Court No. 9, Clerk's Office No. 17 (Clerk of Court: Karina Bermudez), located at Marcelo T. de Alvear 1840, 4<sup>th</sup> floor, Buenos Aires, Argentina, is now hearing the case captioned "Kogan J. c/ Visa Argentina S.A. s/ Sumarísimo" ("*J. Kogan vs. Visa Argentina S.A. on Expedited Proceedings*"), Case No. 93.741. This Court is competent to hear the case by reason of the matter, amount and jurisdiction. This letters rogatory is issued in the context of the said case, requesting you to instruct Bank One, of Street 201- N. Walnut Street DE1- 1027, Wilmington, Delaware, United States of America, to provide, on a reciprocal and collaborative basis, the following information as requested by plaintiff: -----

(i) full name and recorded address of the holder of credit card No. [REDACTED] issued by Bank One; (ii) whether the cardholder or any individual authorized by him has repudiated two transactions dated August 18, 2003 in an amount of AR\$ 669 and AR\$ 734, both at the "Chevignon Concept" store located at "Solar de la Abadia" shopping mall in Buenos Aires; (iii) whether those purchases were paid by the cardholder or remained unpaid. -----

The names and addresses of the parties to the proceedings are as follows: -----

TRADUCCIÓN PÚBLICA  
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Plaintiff: Jose Osvaldo Kogan (owner of the "Chevignon Concept" store).

Counsel to plaintiff: Ramiro de Elizalde, Esq., Buenos Aires Bar Association No.:

██████████ Address for notices: Av. Corrientes, 1319, 1<sup>st</sup> floor. -----

Defendant: Visa Argentina S.A. Counsel to defendant: Andres F. Martinez, Esq.,

Buenos Aires Bar Association No.: ██████████ Address for notices:

Cerrito 740, 13<sup>th</sup> floor, Buenos Aires. -----

Nature and purpose of the proceedings: expedited ("*sumarisimo*") proceedings filed by Jose Osvaldo Kogan, seeking payment from Visa Argentina S.A. in an amount of AR\$ 1,402 plus any related amounts, purportedly owing to plaintiff as a result of two sale transactions at the the "Chevignon Concept" store located at "Solar de la Abadia" shopping mall in Buenos Aires, in an amount of AR\$ 668 and AR\$ 734, respectively. Plaintiff is the owner of the store; according to him, both sales were paid for with Visa Card No. ██████████ and the relevant amounts were never credited. Visa Argentina S.A. in turn refuses to make payment as requested, alleging that (i) the transactions involved were repudiated by the holder of card No. ██████████ (ii) such repudiation was informed through Bank One, the financial institution that issued the credit card; (iii) by IT means, Bank One informed that the cardholder had repudiated both transactions, which according to plaintiff had taken place at his store; (iv) the relevant amounts were debited by the issuing bank (Credicoop); (v) these amounts were properly debited, since plaintiff failed to submit the coupons as requested. -----

The following is a transcription of the relevant court order: "Buenos Aires, May 2, 2005. (...) In connection with the evidence offered by defendant (...) Information to be provided by third parties located outside of Argentina: A letters rogatory must be sent to the relevant party (...) Signed: Judge Paula Maria Hualde". -----

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Fº 031  
P. 3714

Each of the following individuals has been authorized to handle all proceedings in connection with this letters rogatory: Andres F. Martinez and/or Hernan Federico Sosa and/or Ignacio Visser and/or Lucas Loviscek and/or Gerardo Anegon and/or Federico Ferreyra Marquesto. -----

This letters rogatory will be handled in accordance with the provisions of the "20th Hague Convention on Taking Evidence Abroad in Civil or Commercial Matters", dated March 18, 1970 and approved in Argentina by Act of Congress No. 23,480. -----

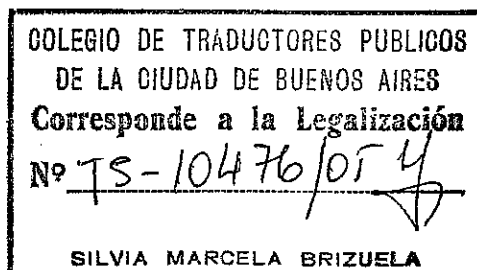
May Your Honor do as requested above; reciprocity is offered for analogous cases. -----

DONE AND SIGNED in Buenos Aires, on this 4<sup>th</sup> day of July, 2005. -----

[There are two signature and two seals:] Karina R. Bermudez - Clerk of Court; German Paez Castañeda, Judge. -----

I ATTEST THE FOREGOING TO BE A TRUE AND ACCURATE TRANSLATION INTO ENGLISH OF THE DOCUMENT IN SPANISH ATTACHED HERETO. THE FOLLOWING LEGEND IN SPANISH IS INCLUDED FOR LEGALIZATION PURPOSES ONLY. BUENOS AIRES, AUGUST 4, 2005 -----

ES TRADUCCIÓN FIEL AL IDIOMA INGLÉS DEL DOCUMENTO EN IDIOMA ESPAÑOL QUE ADJUNTO. BUENOS AIRES, 4 DE AGOSTO DE 2005. -----



*Maria Elena Cetrari*  
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1 CETRARI  
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P. 3714.